

### Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### Listing of Claims:

Claims 1-6 (Canceled)

Claim 7 (Currently amended): A transformed plant comprising a polynucleotide having at least 95% sequence identity to a polynucleotide selected from the group consisting of: SEQ ID NO: 5 and SEQ ID NO: 10, wherein the polynucleotide encodes a polypeptide having fumonisin degrading activity.

Claim 8 (Currently amended): A plant seed comprising a polynucleotide having at least 95% sequence identity to a polynucleotide selected from the group consisting of: SEQ ID NO: 5 and SEQ ID NO: 10, wherein the polynucleotide encodes a polypeptide having fumonisin degrading activity.

Claim 9 (Currently amended): A method of reducing pathogenicity of a ~~fungus producing fumonisin~~ fumonisin producing fungus or structurally related mycotoxin, comprising:

- a) transforming a plant cell with a vector comprising a polynucleotide operably linked to a promoter wherein the polynucleotide has at least 95% sequence identity to a polynucleotide selected from the group consisting of: SEQ ID NO: 5 and SEQ ID NO: 10, wherein the polynucleotide encodes a polypeptide having fumonisin degrading activity;
- b) growing the plant cell under plant growing conditions; and
- c) inducing expression of said polynucleotides for a time sufficient for amounts of ~~the~~ a fumonisin esterase and APAO enzymes to accumulate to levels that can inhibit the fungus.

Claim 10 (Canceled)